



## LOUISIANA NATURAL AND SCENIC RIVERS SYSTEM

**PERMIT APPLICATION**Permit # 962 (Assigned by Department)

The Louisiana Department of Wildlife and Fisheries' Scenic Rivers program is authorized by LRS title 58, Chapter 9 Part II. This law requires permits authorizing activities in or affecting rivers that have been designated by the Louisiana Legislature as Natural and Scenic. Information provided on this form will be used in evaluating the application for a permit. Information in this application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

**APPLICANT INFORMATION**

Name of Applicant; Diamond B Inc	Name of Agent (if any) Thom Barlow
Address	Address 39016 S. Thibodeaux Rd
Address : P. O Box 533	Address
City, State, Zip Amite, La 70422	City, State, Zip Ponchatoula, La. 70454
Phone 318-442-5686	Phone 985-386-4281

**DESCRIPTION OF THE PROPOSED ACTIVITY**

Brief summary of the description and purpose of the proposed activity (details to be attached as a separate document)

Commercial Gravel mining of non wet uplands and other waters of the US( 404 non-RPW) on roughly 140 acres. As per the JD Number MVN 2012-01861-CM. No wetlands will be disturbed. This project will be performed using the 200 to 450 foot buffer area along the Tangipahoa River, that the Louisiana Wildlife and Fisheries has established as the buffer.

Is any portion of the activity complete? YES or NO (If yes, indicate month and year of completion)

**LOCATION OF PROPOSED ACTIVITY**

Stream Name	Tangipahoa	Names, Addresses, Phone Numbers of Adjacent Property Owners
Parish	Tangipahoa	See separate attached page
Section	Sec 48	
Township	T3S	
Range	R7E	
Latitude/Longitude	N 30.76556 W 90.49381	

**ENVIRONMENTAL ASSESSMENT**

Must be a separate document. See the attached instruction sheet for completing the assessment.

**CONFIRMATION OF INFORMATION ACCURACY**

Application is hereby made for a Scenic River Permit to authorize the activities described herein. I certify that I am familiar with the information contained in this application and that, to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities, or I am acting as the duly authorized agent of the applicant.

  
Diamond B Construction

2/3/2016

There will be an additional 35 acres added to this mining area's Scenic River permit. The additional acreage will be known as The Jerry Elzey Property. The JD has not yet been issued. The total contiguous mining acreage for this Scenic River permit will be 175 acres.



## State of Louisiana

BOBBY JINDAL  
GOVERNOR

DEPARTMENT OF WILDLIFE AND FISHERIES

ROBERT J. BARHAM  
SECRETARY

Dear Scenic River Permit Applicant:

Please review and concur on the following statement regarding the issuance of permits by the Louisiana Department of Wildlife and Fisheries. This agreement must be signed and returned before a Scenic River Permit can be issued.

"I have been advised and do understand that by applying for and accepting a Scenic Rivers permit issued by the Louisiana Department of Wildlife and Fisheries, I am being allowed to engage in an activity which would otherwise be prohibited by law or for which a permit is required. I understand that the permit is not a license and confers no property right upon me. I specifically agree to abide by all State and Federal fish and wildlife laws and regulations, and all State and Federal laws and regulations which relate to this permit or the permitted activity, and by all other terms and conditions of this permit. I understand that the permit for which I am applying may be suspended, annulled, withdrawn or revoked and that I may be assessed civil penalties, all in accordance with the provision of the Louisiana Administrative Procedure Act, and that I may be denied future permits as a consequence of my failure to fully and completely comply with the terms and conditions of the permit, as well as other laws and regulations pertinent thereto. If served with or notified of a cease and desist order signed by the Scenic Rivers Administrator, I agree to immediately and without delay cease all activities and operations which relate to the permitted activity or which are impacting the Scenic River, until such time as the matter can be resolved in an adjudicatory hearing pursuant to the Louisiana Administrative Procedure Act. I understand and agree that any permit issued to me by the Louisiana Department of Wildlife and Fisheries is in the nature of a privilege which is being voluntarily extended to me by the Department and the failure on my part to cooperate with the Department can result in the loss of the privilege conferred and the denial of future requests for permits. By accepting this permit, I evidence my agreement to be bound by all conditions and stipulations set forth herein."

Diamond B Construction

A handwritten signature in dark ink, appearing to read "David B. Construction", written over a horizontal line.

Authorized Signature

2/3/2016

Date

REV 12/7/98

# La.DWF Scenic Rivers Permit Application

Gravel mine near the Tangipahoa River  
Arcola, LA

Prepared by:

Thom Barlow

39016 S Thibodeaux Rd

Ponchatoula, La

70454

For

Louisiana Department of Wildlife and Fisheries



On Behalf of:

Diamond B Construction Inc

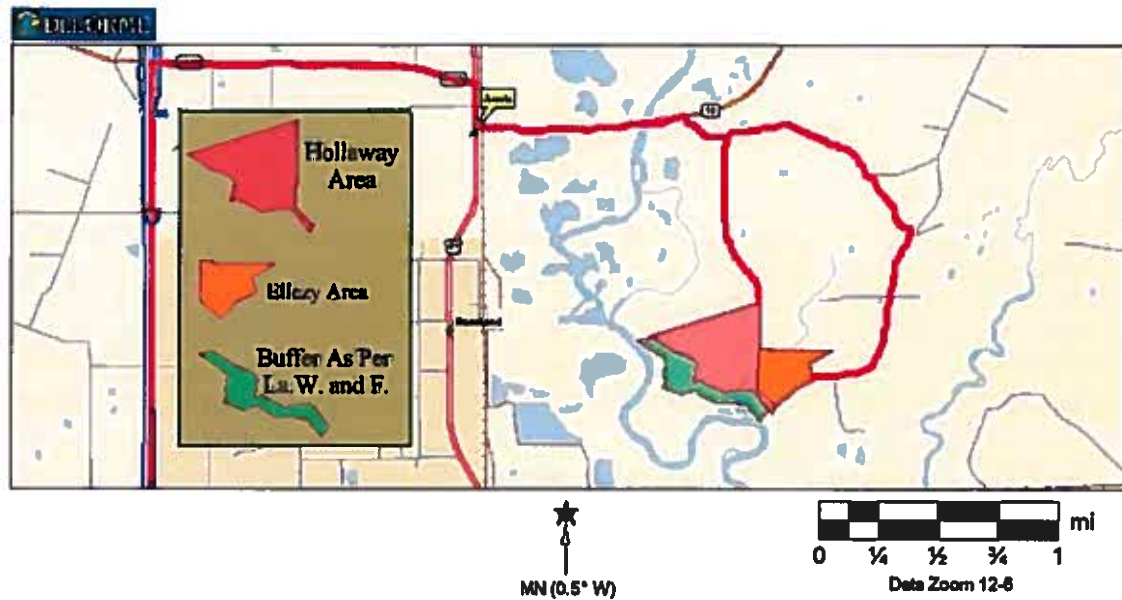
**I: Description Of Project: (Drawing will be attached)**

Activity will involve Excavation of Uplands and Non RPW Section 404 for purpose extracting gravel. Commercial Gravel mining of non-wet uplands and other waters of the US (404 non-RPW, which are not subject to compensatory mitigation) on roughly 175 acres. As per the JD Number MVN 2012-01881-CM. No wetlands will be disturbed. This project will be performed using the 200 to 450 foot buffer area along the Tangipahoa River, that the Louisiana Wildlife and Fisheries has established as the buffer, as the western and southern outside boundary of the mining area and to the north will be the existing gravel pit and adjacent continuing to the west will be the soon to be proposed Jerry Ellezy Gravel pit there will be a temporary earthen berm approximately 12 foot high and 50 foot wide at its base which will be constructed around the western and southern boundary. The berm will be constructed of material excavated from the job site

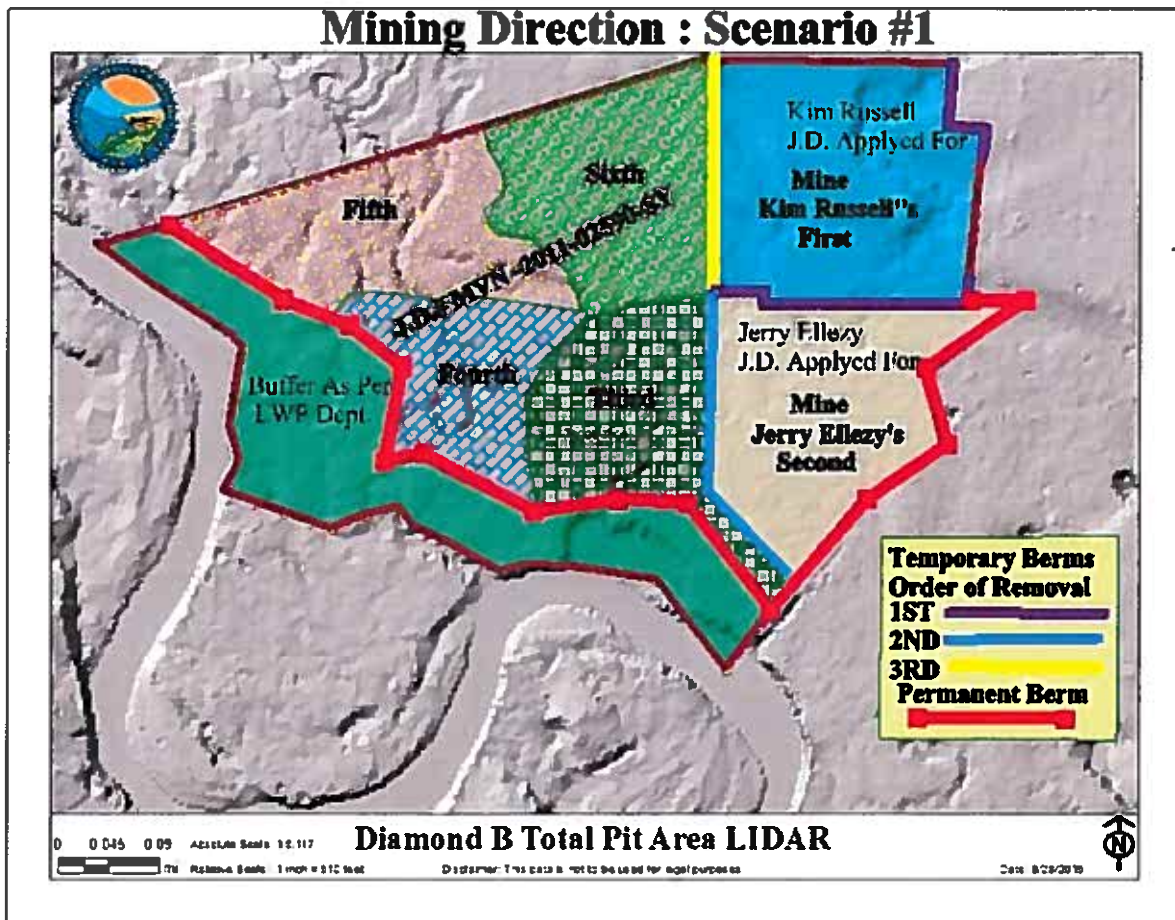
Upon the completion of the gravel pit the applicant will make the property safe then use it as an equipment storage facility

## II: A.Vicinity map:

Figure 1 Vicinity Map For Diamond B Mining Operation To For Scenic River Permit

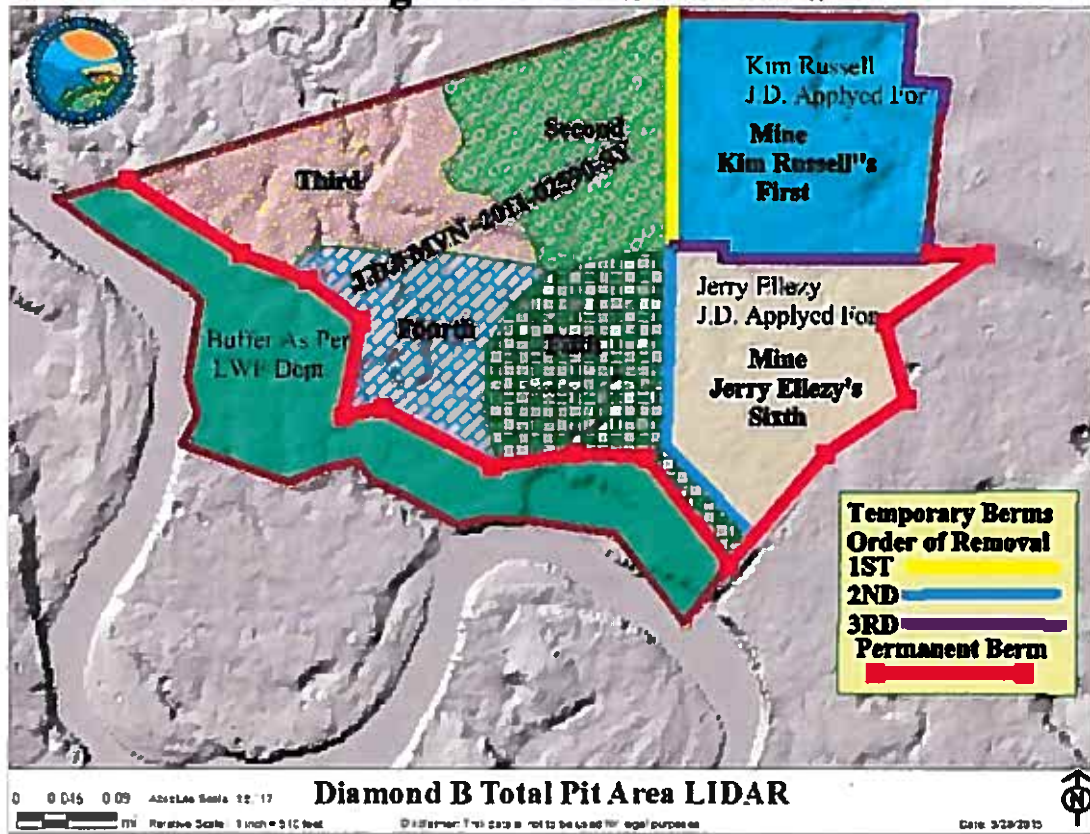


## B: Best Scenario for Mining Direction





## Mining Direction Scenario # 2



### C: Cross Section Drawings of Berm:

According to U.S.G.S., at the Highway 16 Bridge: Normal low is 7.58 Ft Normal Flood is 21 Ft. and Biblical Floods of 1983 and 2016 was almost 25 Ft crest. According the USGS they use the datum from NADD 80. Which mean you add 80 Ft. to these values to get the elevations, so the Normal Low Elev. 87.58 Ft; Normal Flood 101 Ft.; and the Historic Crest would be 105 Ft. The proposed height of top of Berm will be the existing elevation plus the 12 foot of natural material to be use for the berm (114+12 = 126 Ft.) According to Paul Ensminger from the USGS the historic NOAA river readings at the Hwy 16 Bridge are wrong!!!!!!

### Mining Direction Temporary Berm Cross Section For Hollaway Pit

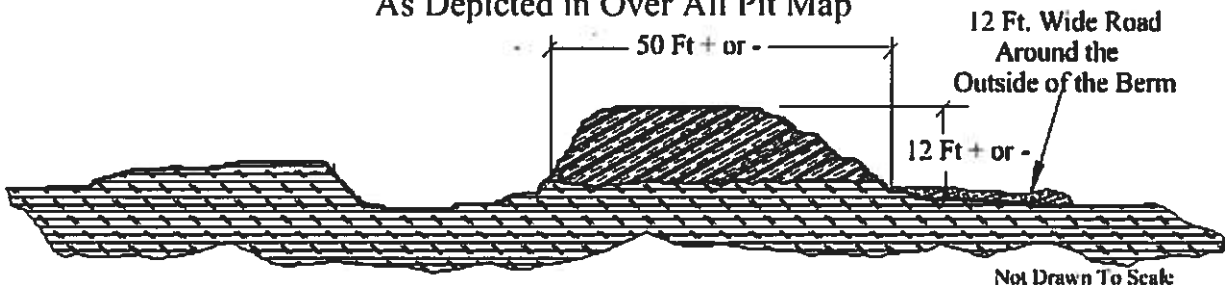
Length of Temporary Berm : 1,586 Ln Ft + or -

This Berm will be Removed as Diamond B

Moves East to the next Location, the Jerry Ellezy Property

Length of Permanant Berm 4,349 LnFt +or-

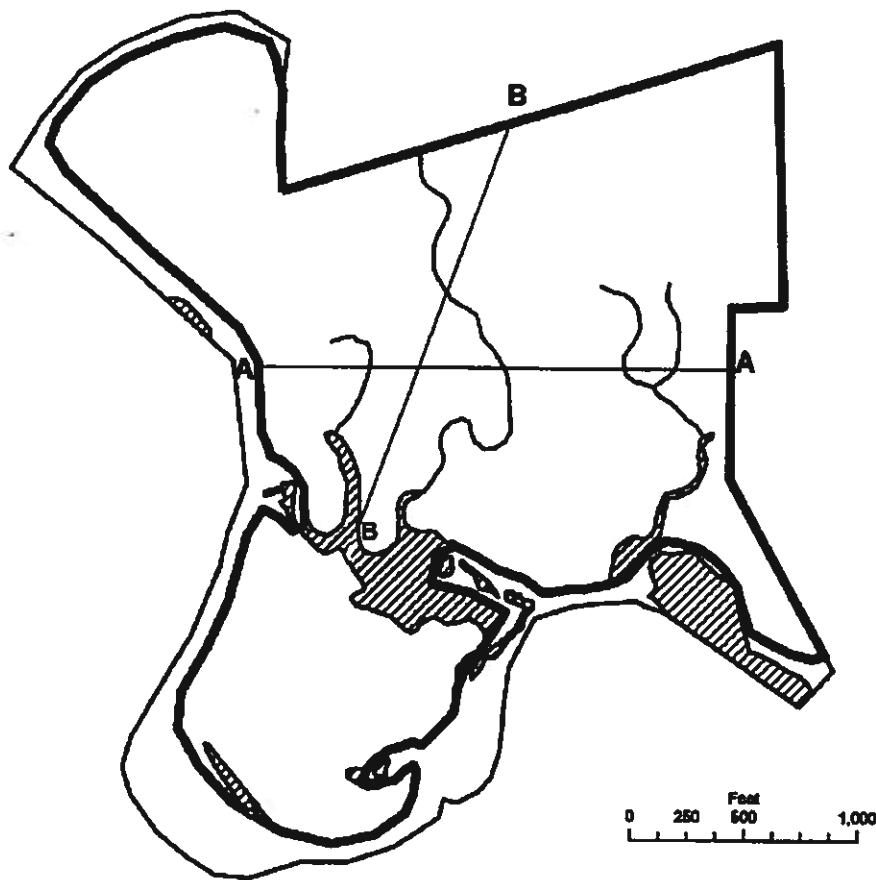
As Depicted in Over All Pit Map





## D: Topo Elevations Cross Section of Pit Area A-A and B-B:

According to U.S.G.S., at the Highway 16 Bridge: Normal low is 7.58 Ft Normal Flood is 21 Ft. and Biblical Floods of 1983 and 2016 was almost 25 Ft crest. According the USGS they use the datum from NADD 80. Which mean you add 80 Ft. to these values to get the elevations, so the Normal Low Elev. 87.58 Ft; Normal Flood 101 Ft.; and the Historic Crest would be 105 Ft. The proposed height of top of Berm will be the existing elevation plus the 12 foot of natural material to be use for the berm ( $114+12 = 126$  Ft.) According to Paul Ensminger from the USGS the historic NOAA river readings at the Hwy 16 Bridge are wrong!!!!!!



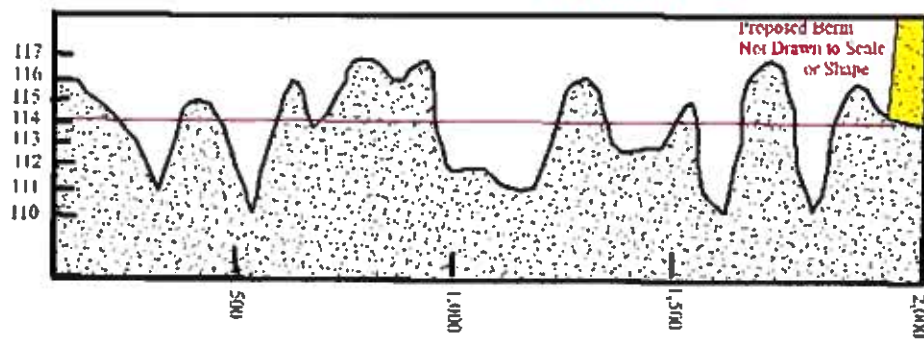
### Diamond-B Roseland Site Plan View

- Boundary
- Sec. 404 Non-RPW
- ▨ 4D4 Wetland
- ▨ Sec. 10

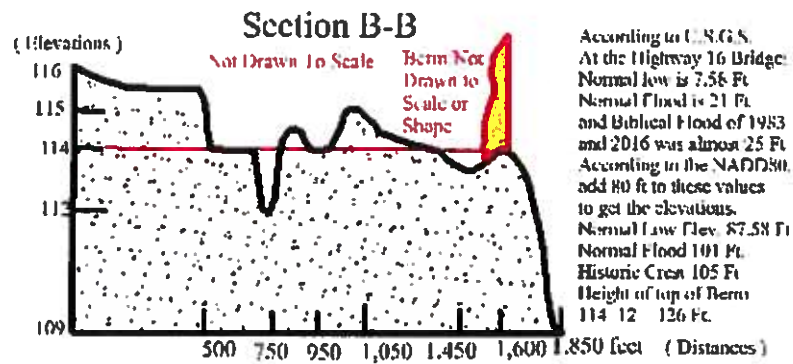
25 June 2012  
Drawn: ECK

Note: A minimum buffer of 15' shall separate the existing berm and the natural bank of the Tappan River.

## Section A-A Not Drawn To Scale



According to U.S.G.S.  
At the Highway 16 Bridge,  
Normal low is 7.54 Ft  
Normal Flood is 21 Ft  
and Biblical Flood of 1983  
and 2016 was almost 25 Ft  
According to the NAD80  
add 80 ft to these values  
to get the elevations.  
Normal Low Elev. 87.58 Ft  
Normal Flood 101 Ft.  
Biblical Crest 105 Ft.  
Height of top of Berm  
14 - 12 - 26 Ft.



### **III: Photos along the River**

Lat. 30.76538 Long. 90.50024 Looking Down River



Lat. 30.76071 Long 90.49268 Looking North



Lat. 30.76071 Long 90.49268 Middle Looking Across





Lat 30.76071 Long. 90.49268 Middle Looking South



Lat. 30.75986 Long 90.49017 Southern Boundary Looking N



Lat. 30.75986 Long 90.49017 Southern Boundary Looking Across



#### **IV: Additional Required Permits:**

Section 404/10 Permit from USACE

La. DEQ Water Quality Certification

La. DEQ NOI Gravel Mining Permit

#### **V: Environmental Assessment**

##### **A: Existing Land Use:**

The site is currently wooded forest, ready to be harvested. It is financially impossible to restore the topography back to its original landscape. The impacted area will be replaced by the back filling material from the mining process as the mining continues to move during the life of the mining area (5-8 years). It may be

replanted, but should revert back to its current habitat and use over time. Upon the completion of the gravel pit the applicant will make the property safe then use it as an equipment storage facility

Diamond B does not think there will be any discharge of water from the proposed mining area, because of past history from the existing pit adjacent to the proposed new mining area. Diamond B will file for the La. DEQ Water Quality NOI Permit as well as a La. DEQ Water Quality Certification just in case there is an accident. If for some unforeseen reason a discharge would be necessary, the preapproved discharge would happen when the river is high and turbid/muddy.

#### **B. Historic Sites:**

There are no know historic or archeological sites known to exist with in the area to be impacted.

#### **C: Economic Impact:**

The project with supple Gravel for Diamond B Construction Inc. for current and future highway projects. Diamond B Construction is one of Louisiana largest highway contracting Companies. Diamond B employs hundreds of employee's state wide. This mine will employ more than 100 people at the Amite Asphalt plants and at the pit area.

#### **D: Wilderness/ Rural Quality:**

The wilderness Value is Moderate. The Site is a managed standing BLH Forest that has not been cut in more than 35years. It is ready to be harvested. The properties isolated nature and combined with the proximity to the Tangipahoa River, provides an average Wildlife Value. It is financially impossible to restore the topography back to its original landscape. The impacted area will be replaced by the back filling material from the mining process as the mining continues to move during the life of the mining area (5-8 years). It may be replanted, but should revert back to its current habitat and use over time. Upon the completion of the gravel pit the applicant will make the property safe then use it as an equipment storage facility

#### **E: Scenic Value:**

The Scenic Value is high because of the proximity to the Tangipahoa River, but no impact shall occur near the River. Diamond B has agreed to the Louisiana Wildlife and Fisheries suggested 200-450 buffer from the Tangipahoa River. It is

financially impossible to restore the topography back to its original landscape. The impacted area will be replaced by the back filling material from the mining process as the mining continues to move during the life of the mining area (5-8 years). It may be replanted, but should revert back to its current habitat and use over time. Upon the completion of the gravel pit the applicant will make the property safe then use it as an equipment storage facility

The berm will stay in place after the mining is complete. There should not be any mining activity that would be able to be visible from the Tangipahoa River.

#### **F: Recreation Use:**

The recreation use shall be limited to Fishing, hunting, camping, hiking and ATV activities after the impacted area are restored and the recreational use is re-established.

#### **G: Ecological System:**

The proposed site currently consists of a Non-jurisdictional Hardwood forest, with non-rpw 404 areas in the project.

#### **H: Fish and Wildlife:**

The fish species that are found in the Tangipahoa River, adjacent to the project, include various species of Bream, Bass, Catfish, Gar, Pickerel and White Perch. The mammalian species consists of White Tail Deer, Raccoon, Opossum, Grey and Fox Squirrel, Rabbit, Otter, Beaver, Bobcats, and Coyote, The various avian species consists of Song Birds, Turkey, Buzzard, Predatory Birds (Hawks, Owls, Egrets, Herons, and King Fishers). Also wood ducks are often found on the Tangipahoa River. There should not be any significant impact to the mammalian or avian species due to the surrounding extensive forested areas adjacent to and across the Tangipahoa River.

#### **I: Botanical Elements:**

The tree species consists, but not limited to, primarily of various Hardwood Species, such Water Oak, Laurel Oak, Swamp Chestnut Oaks, Green Ash, Water Hickory, Southern Magnolia, Sweet Bay Magnolia, Sycamore, Loblolly Pine, Spruce Pine, Black Gum, Red Maple, Sweet Gum, Elm, Black Cherry and American Beech. The Shrub species consist of but not limited to Elderberry, Chinese Privet, Star Anise, Ash Arrow Wood, Button Brush, Wild Blue Berry, Symplosa, The herbaceous species consists of, but limited to, Broom Sedge, Blue



Stem, various S Sedges, various Carex. The vegetation will be impacted but it should self-restore naturally with time after project is complete.

#### **J: Geological Features:**

The proposed site consists of a rolling contour non-jurisdictional upland area that slowly drops into the Occasional High Water Mark of the Tangipahoa River. As the terrain falls towards the Tangipahoa River, a series of ridges and non-rpw 404 area encompass most of the terrain, the terrain drops approximately 15 from the northern portion of the project to the Section 10 area just south of the berm that the Louisiana wildlife and Fisheries has agrees to. The topography within the mining area will be effected, but with the back fill of the natural material as the project goes on.

#### **K: Hydrological Features:**

The hydrological features are limited to non-flowing 404 non-rpw areas which are in the upland areas. They are above the occasional high water mark and are not affected by the Tangipahoa River. There are no hydrophytic vegetation growing in these areas.

#### **L: Water Quality/Quantity**

The areas to be mined will impact the 404 non-rpws through excavation. The impact will not affect the hydrology. In the Ellezy property, some of the 404 non-rpw areas hold stagnant water from sheet flow from normal rain fall that is held in the lower areas. The river will not be impacted directly or indirectly from the mining area due to the manmade berm around the mining area. There will be no impact foreseen to water quality in the Tangipahoa River under normal conditions, except the possibility of the damn at Percy Quin State Park being opened to drain Lake Percy Quin. This is not a normal natural condition.

Diamond B does not think there will be any discharge of water from the proposed mining area, because of past history from the existing pit adjacent to the proposed new mining area. Diamond B will file for the La. DEQ Water Quality NOI Permit as well as a La. DEQ Water Quality Certification just in case there is an accident. If for some unforeseen reason a discharge would be necessary, the preapproved discharge would happen when the river is high and turbid/muddy.

#### **VI: Signed Legal Agreement Attached**



**VII:** The Applicant has never been cited for a SRV

**VII:** The applicant has agreed to the distance of 200 and 450 feet buffer from the Tangipahoa River Requested by the La. Dept. W&F as per the figures included. The applicant will also place sediment fences on the outside of the berm to help impede and runoff.

**IX:** The proposed project is an aggregate mine that is located where sample have indicated gravel and sand are available. Gravel/sand mines are typically excavated in areas near rivers and or streams due to the existence of the material in these areas. The Hollaway property is owned by Diamond b Construction, but the Jerry Ellezy property is leased for the duration of the mining procedure. The manmade berm will remain on the western and southern boundary of the mine as per the La. Dept. W&F request.

Please Contact me for further information, if needed

W. Thom Barlow

39016 S. Thibodeaux Rd

Ponchatoula, La

70454

985-386-4281